



DAC

#11

PTO/SB/61 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)		Docket Number (Optional)
First Named Inventor: <u>MR. JUSTIN PAGE</u>	Art Unit: <u>2172</u>	RECEIVED NOV. 04 2004 OFFICE OF PETITIONS
Application Number: <u>09/557,252</u>	Examiner: <u>MR. ALFORD</u>	
Filed: <u>24 APRIL 2000</u>	<u>KINDRED</u>	
Title: <u>SYSTEM, METHOD AND PROCESS FOR THE PREVENTION OF CONSUMER IDENTITY THEFT</u>		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.		
NOTE: A grantable petition requires the following items:		
(1) Petition fee.		
(2) Reply and/or issue fee.		
(3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and		
(4) Adequate showing of the cause of unavoidable delay.		
1. Petition fee		
<input checked="" type="checkbox"/> Small entity - fee \$ <u>685</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(l)).		
2. Reply and/or fee		
A The reply and/or fee to the above-noted Office action in the form of <u>AMENDMENT 'B'</u> (identify the type of reply):		
<input type="checkbox"/> has been filed previously on _____		
<input checked="" type="checkbox"/> is enclosed herewith.		
B The issue fee of \$ _____		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith.		

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

11/03/2004 HRL111 00000004 09557252 685.00 OP 01 FC:2453

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

RECEIVED

NOV 04 2004

OFFICE OF PETITIONS**3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

10/28/04

Date

JUSTIN PAGE

Typed or printed name

Registration Number, if applicable

6 SAWYER STREET

Address

207-899-1911

Telephone Number

PORTLAND, ME 04103

Address

Enclosure ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unavoidable delay☐**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

10/28/04

Date



Signature

JUSTIN PAGE

Typed or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature10/28/04

DateJUSTIN PAGE

Typed or printed nameN/A

Registration Number, if applicable(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

SEE ~~STATEMENT~~ ^(SD)

SEE DOCUMENTS ANNEXED HERETO

(Please attach additional sheets if additional space is needed.)

RECEIVED
NOV 04 2004
OFFICE OF PETITIONS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application No. 09/557,252
Filed: 24 April, 2000
Title: SYSTEM, METHOD AND PROCESS FOR THE
PREVENTION OF CONSUMER IDENTITY THEFT
Applicant: Mr. Justin Page
Examiner/GAU: Mr. Alford Kindred/2172

RECEIVED

NOV 04 2004

OFFICE OF PETITIONS

CERTIFICATION (IN LIEU OF OATH) IN SUPPORT OF PETITION

JUSTIN PAGE, the above named inventor, in support of his annexed petition,
certifies and states:

1. In or about June of 2002, it became clear to me and to those who knew me that my 6 (six) year old marriage, to which 2 (two) beautiful children were born, was formed entirely on the basis of my (ex-) wife's immigration fraud.
2. In August and September of 2002, my (ex-) wife's parents began living with us for extended periods. During this period, I was emotionally and physically abused, illegally evicted and made homeless on 3 (three) separate occasions.
3. In March of 2003, after being advised by one of my *children* that they were "moving away without [petitioner]", and considering petitioner's 20 (twenty) year struggle with severe clinical depression and panic attacks, petitioner was hospitalized at Gracie Square Hospital in New York, N.Y. (See annexed letter of Dr. R. Wolfsohn, Exhibit 'A')
4. Once I was released from the hospital, my ex-wife sought and was granted a Temporary Restraining Order based on completely false statements. Accordingly, her T.R.O. was dismissed by the judge on the hearing date.

5. However, between the time of my hospitalization, the issuance of the T.R.O., months passed where I was illegally deprived access to the children of whom I had been primary caretaker for the entirety of their young lives.

6. This illegal deprivation of access to my children acted as a stressor upon my chronic conditions, in yet another 3 (three) hospitalizations at the Clara Maas Hospital in Bellville, New Jersey.

7. Primarily to gain injunctive access to my children, I filed a Complaint for Divorce in May of 2003. Justin Page v. Svetlana Page (a/k/a Lana Page), Superior Court of the State of New Jersey, Chancery Division, Family Part, Essex Vicinage, Docket Number 03-2815-07-F citing Extreme Cruelty as my sole cause for action. (Exhibit 'B')

8. At all relevant times, upon information and belief, my former wife, Svetlana Page, *intra alia*, maliciously destroyed or concealed documents pertaining to the subject application which were being correctly sent to my home address, but from which I was illegally barred.

9. On October 31, 2003, Justice James B. Convery of the Superior Court for State of New Jersey, County of Essex, entered a judgment of divorce as against my ex-wife, annexed hereto. (Exhibit 'C')

10. During one hurried, court-ordered exchange of documents, I received a Final Office Action rejecting my amended claims as being anticipated by prior art. I did not realize at the time that the "prior art", even if it was, had a later filing date than my own application.

11. Because of my relative ignorance to patent process, I did not realize that this document was not necessarily fatal.

12. I quickly went to the USPTO Web Site and found a Notice of Appeal, mailed it with a check for the requisite amount. I thought this was an appropriate venue. I now understand that I seek only to continue the prosecution of the application.

13. My wife soon thereafter closed or emptied the account upon which the check written to you was drawn. Therefore the check was returned to your offices unpaid.

14. Although I have moved to another state, have a new address (now appropriately filed) and intend to retain counsel for the continued prosecution of this action, my ex-wife continues to destroy mail sent to me and causes other problems for me.

15. For all of the foregoing reasons, I most respectfully ask the instant petition be granted as meeting the statutory criteria for unavoidable delay, and that my application continues to be prosecuted, due to the exigent circumstances detailed herein.

Dated: October 28, 2004

Very Respectfully,



Justin Page, Applicant, Pro Se

Portland, Maine

CERTIFICATION IN LIEU OF OATH

I, Justin Page, the undersigned, do hereby certify and state that the statements made herein are true and correct to the best of knowledge, information and/or belief and that if any statement made herein were false, I may be subject to punishment.



Justin Page

EXHIBIT 'A'



GRACIE SQUARE HOSPITAL, INC.
420 EAST 76th STREET • NEW YORK, NY 10021 • (212) 988-4400

July 11, 2003

The Hon. James B. Convery, J.S.C.
Superior Court For the State Of New Jersey
Chancery Division
Family Part
County Of Essex

RECEIVED
NOV 04 2004
OFFICE OF PETITIONS

The Hon. James B. Convery

Justin Page was under my care in Gracie Square Hospital from March 31, 2003 until April 11, 2003. He had been admitted voluntarily for treatment of Major Depression. He had been successfully treated for this illness but his condition was exacerbated prior to hospitalization due to the precipitous break-up of his marriage and separation from his children.

Mr. Page responded well to treatment. He was not considered a danger to himself or others and he cooperated with and participated in all aspects of his treatment and care. Based upon my findings there is no basis to support a finding that Mr. Page would not be an excellent caretaker or that he could not conduct unsupervised visitation with his children.

There is no medical reason to suggest, nor did Mr. Page complain of, any enduring side-effects from his medications, that would support a finding that he would fall asleep while caring for his children.

Yours Sincerely

Roger Wolfsohn, M.D.

EXHIBIT 'B'

JUSTIN PAGE, *pro se*
60 Sycamore Avenue
Livingston, NJ 07039
Phone and Fax (212) 208-3030
Plaintiff

JUSTIN PAGE,

Plaintiff,

- against -

SVETLANA PAGE (a/k/a LANA PAGE),

Defendant.

SUPERIOR COURT OF NEW JERSEY
FAMILY DIVISION
ESSEX VICINAGE

MAY 28 2003

FINANCE DIVISION

RECEIVED

~~SUPERIOR COURT FOR THE STATE OF~~
NEW JERSEY, CHANCERY DIVISION,
FAMILY PART, COUNTY OF ESSEX

DOCKET NO. FM-07-2815-03F

COMPLAINT
FOR DIVORCE

RECEIVED

NOV 04 2004

OFFICE OF PETITIONS

NOW COMES Plaintiff JUSTIN PAGE (S.S.N. 107-64-2985), residing at 60 Sycamore Avenue, County of Essex, Town of Livingston, New Jersey 07039, and files this Complaint for Divorce, and would state in support thereof the following:

1. Defendant SVETLANA PAGE (A/K/A LANA PAGE) (S.S.N. 135-04-5888) presently resides at 115 Old Short Hills Road, Apartment 495, in the Township of West Orange, County of Essex, 07052.
2. There are two Children of the Marriage, NIKITA PAGE, (D.O.B. 09/07/1994) and CARINA PAGE (D.O.B. 12/08/1998), (referred to collectively as "Children of the Marriage") both children currently residing in the custody of Defendant without consent of Plaintiff.
3. The marital home was located at 20 West Cedar Street, County of Essex, Livingston, New Jersey 07039.
4. This Court has jurisdiction of the parties and subject matter pursuant to New Jersey Statutes Annotated; Title 2A, Chapters 34-8 and 38-10.

5. Both of the parties are and have been actual bona fide residents and domiciliary of Essex County, New Jersey, for at least twelve (12) months preceding the commencement of this suit. Further, that both parties are domiciled in, and have been bona fide residents of New Jersey at the time of bringing this suit.

6. This marriage was the subject of an earlier, albeit facetious, Complaint, made by Defendant and Dismissed by this Court's family violence section, Docket Number FV-07-3360-03-Y.

SOLE COUNT:
EXTREME CREULTY

7. The averments contained in paragraphs 1 through 6 are fully re-pleaded as if set forth herein again at length.

8. The parties were joined lawfully in marriage on July 10, 1997 in the State of New York, County of New York.

9. No act of cruelty alleged herein occurred less than ninety (90) days prior to the filing of this action.

10. In or about January of 2000, and at all times since her constructive eviction of Plaintiff from the marital home, Defendant has performed acts against Plaintiff which constitute extreme cruelty, including physical, emotional and mental cruelty, to wit:

- a. Defendant's cessation and refusal of all romantic or sexual advances, emotional support, love or affection towards or with regard to Plaintiff.
- b. Defendant's strangulation, scratching, punching and slapping of Plaintiff by Defendant or others at her instruction.
- c. Defendant's fraud against Plaintiff and her unlawful inducement of Plaintiff into the marriage for immigration purposes.

- d. Defendant's malicious prosecution and perversion of justice as against Plaintiff, contrary to N.J.S.A. 2C:29-1.
 - e. Defendant's illegal separation, on two occasions, of Plaintiff and the Children of the Marriage, contrary to N.J.S.A. 2C:44-1.
 - f. Defendant or another person acting at her direction has attempted to psychologically manipulate the child Nikita against Plaintiff.
 - g. Other numerous acts by Defendant as against Plaintiff.
11. These acts by Defendant endangered the safety and health of the Plaintiff and make it improper or unreasonable to expect the Plaintiff to continue to cohabit with the Defendant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays the Court award the following relief to Plaintiff:

- a) A decree by the Court of a full and final divorce, and;
- b) A temporary and/or permanent Order granting full physical and Legal Custody of the Children of the Marriage to the Plaintiff and Defendant, jointly, and;
- c) Child support to be paid jointly by Plaintiff and Defendant in an amount to be determined at trial, and;
- d) an Order directing Defendant to pay a percentage of her future earnings as a Certified Public Accountant ("C.P.A.") to Plaintiff, in that Defendant was emotionally and financially supported, dependent upon and had all relevant fees and costs paid by Plaintiff during her training as a C.P.A., and;
- e) an accounting and dispensation of the marital assets, if any, and;

AFFIDAVIT OF VERIFICATION AND NON-COLLUSION


STATE OF NEW JERSEY }
 } ss:
COUNTY OF ESSEX }

I, Justin Page, Plaintiff in the above styled action for Divorce, do hereby swear and affirm that the allegations included in the Complaint are true to the best of my knowledge, information and belief and do hereby swear and affirm that the pleading is made in truth and good faith and without collusion for the cause set forth herein.


Justin Page, Plaintiff

NOTARY PUBLIC

Sworn to and subscribed this 28 day of MAY, in the year 2003.


Notary Public

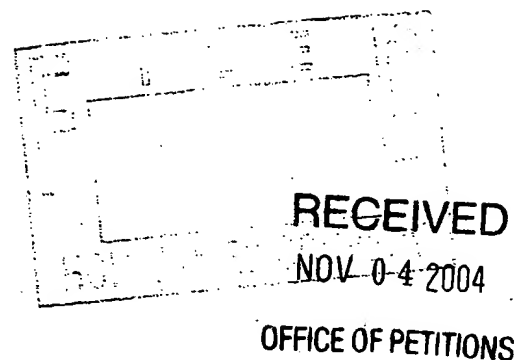
Printed Name: H. Resson

My commission expires

H. RESSOM
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 25, 2004

EXHIBIT 'C'

JUSTIN PAGE
60 Sycamore Avenue
Livingston, New Jersey 07039
(973) 740-1140
Plaintiff pro se



JUSTIN PAGE
SS#107-64-2985

Plaintiff,

vs.

SVETLANA PAGE A/K/A LANA PAGE
SS#135-04-5888

Defendant.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
FAMILY PART, COUNTY OF ESSEX

DOCKET NO. FM - 07-2815-03-F

Civil Action

FINAL JUDGMENT OF DIVORCE

Honorable James B. Convery, J.S.C.

THIS MATTER having been heard on October 31, 2003, in the presence of pro se Plaintiff, JUSTIN PAGE, and KAREN MEISLIK, ESQ. of the firm MEISLIK & LEVAVY, P.C. attorney for the Defendant/Counterclaimant SVETLANA PAGE A/K/A LANA PAGE and Defendant having withdrawn her reply pleading and the Court having considered the Complaint and proofs, and it appearing that the parties were married on July 10, 1997, this being the first marriage for the Plaintiff and the second marriage for the Defendant, and there being no reasonable prospect of reconciliation remaining, the Plaintiff having been a bona fide resident of this State for more than one year next preceding the commencement of this action, and venue being properly laid within the County of Essex based upon the residence of the Plaintiff, and two (2) children having been born of the marriage or the parties' pre-marital relationship: to wit, namely, NIKITA PAGE born September 7, 1994, and presently age nine (9); and, CARINA PAGE born December 8, 1998, and presently age four (4) and the parties having resolved all financial issues ancillary to the dissolution of the marriage pursuant to a written Property Settlement Agreement into which the parties entered voluntarily, knowingly and after consultation with and the advice of counsel of their own choosing or having knowingly and voluntarily waived that right, each party having waived his and her right to trial and having

accepted their Agreement as fair, without the Court having taken testimony in order to pass upon the reasonableness, fairness or merits of the Agreement;

IT IS, THEREUPON, on this 31st Day of October, 2003, by the Superior Court of New Jersey, Chancery Division, Family Part, Essex Vicinage, ORDERED and ADJUDGED, and such virtue of the power and authority of this Court and of the acts of the Legislature in such case made and provided, does hereby ORDER and ADJUDGE that the parties are hereby divorced from the bond of matrimony for the cause aforesaid, and the parties, and each of them, shall be and are hereby freed and discharged from all obligations resulting from said marriage except as more particularly set forth in the parties' Property Settlement Agreement; and

IT IS FURTHER ORDERED and DIRECTED that the terms of the Property Settlement Agreement, annexed hereto as Exhibit 'A', placed into evidence by the plaintiff, and which was agreed to by both parties, and which was signed by the Defendant on Month ^{10/31/03} Day, ~~2001~~, and by the Plaintiff on Month ^{10/21/03} Day, ~~2001~~, are incorporated herein with the understanding that the Court took no testimony and makes no determination as to the adequacy, fairness and/or merits of the aforesaid Property Settlement Agreement except that this Court has determined that the parties have voluntarily entered into this settlement, having accepted the terms thereof as fair and equitable to them and that the parties shall comply with each and every term of their Property Settlement Agreement just as if ordered to do so by this Court following a plenary trial on the merits; and

IT IS FURTHER ORDERED the Defendant may continue to use "Page" as her surname; and

IT IS FURTHER ORDERED that the Property Settlement Agreement is hereby made a part of this Final Judgment of Divorce and shall not merge with but shall survive this Final Judgment of Divorce.


JAMES B. CONVERY, J.S.C.

FAILURE TO COMPLY WITH THE CUSTODY PROVISIONS OF THIS COURT ORDER MAY SUBJECT YOU TO CRIMINAL PENALTIES UNDER N.J.S.A. 20:13-4. INTERFERENCE WITH CUSTODY, SUCH AS CRIMINAL PENALTIES WHICH INCLUDE, BUT ARE NOT LIMITED TO, IMPRISONMENT, PROBATION AND/OR FINES.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application No. 09/557,252
Filed: 24 April, 2000
Title: SYSTEM, METHOD AND PROCESS FOR THE
PREVENTION OF CONSUMER IDENTITY THEFT
Applicant: Mr. Justin Page
Examiner/GAU: Mr. Alford Kindred/2172



AMENDMENT 'B'

RECEIVED

NOV 04 2004

OFFICE OF PETITIONS

Assistant Commissioner of Patents
Washington, District of Columbia 20231

Sir:

In response to Office Action dated December 11, 2002:

Moskowitz (U.S. Patent 2002-0018604) may not be "Prior Art" as against this application.

Respectfully, only one of the priority documents listed in the publication has a date earlier than the filing of this application. Because even that priority document has a filing date of less than 1 (one) year, Applicant respectfully submits that the Applicant conceived of his art and began diligent preparation for his application prior to December 7, 1999.

Moskowitz Does Not Teach our Invention's Solution to Identity Theft.

While Moskowitz discusses identity theft and some techniques intended to prevent it, it does not teach any solution to the problem. The present invention prevents, detects and can reverse adverse events associated with identity theft and other privacy invasions.

Moskowitz fails to disclose any steps to detect or reverse criminal identity appropriation. The addition of this element alone should make this application patentable over Moskowitz.

Moskowitz does not teach or instruct in the unobvious result of detecting and preventing identity theft. Moskowitz does not teach or instruct of a method for preventing adverse events related to identity theft in any regard.